

The same discussion as heretofore arose. Mr. Thomas claimed that it was his right to appear solely as counsel for Sims, holding as he did the certificate from the commissioner, remanding Sims to his master, as Sims now stood, as regards his master, in the situation of a ward. Mr. Sewall replied that that might be law in slave States, but not in Massachusetts.

Justice Woodbury asked Mr. Sewall if Massachusetts was not a State of the Union which recognized the institution of slavery. For his part, he thanked God Massachusetts was still a State of the Union.—[Great applause in court room—marshal called loudly for order.]

Mr. Sumner then argued the case at length, and Mr. Sewall rejoined.

Judge Woodbury then proceeded to give his opinion. He decided that the warrant was legal and that the marshal acted properly in refusing to give up the fugitive on a writ for stabbing the officer; and, taking the circumstances that surround him into consideration, he was justified in the course he had now taken. The officer charged, was certainly a law man, striking at the root of all society. It is a resistance to law, and should the officer fail to prosecute it, he would be highly culpable, especially at this time, when resistance to law and assaults upon its officers, are so freely committed in certain quarters. It is the duty of the marshal to take the custody of the marshal.

The usual affidavit, that he fears a rescue has been made by the agent of the claimant, and probably such a force will be detailed of police, military, &c., to carry Sims out of the State as will render even an attempt at rescue impossible.

Mr. Sumner then made his motion before the investigating committee of the Senate this afternoon, said:

"I have not been ordered to assist in taking the prisoner away, excepting in the general order to preserve peace. I think it my duty thereby to see a prisoner conveyed to the State of the Union. I understand that the marshal will prevent a man from being killed. My men have no weapons—such as fire arms or knives. Last night we put away all weapons in a safe place.

"My men, however, have drilled with arms loaned them by the U. S. Marshal. I don't think we need more than 1,500 to 2,000 men. I have volunteered in preserving peace. One hundred and fifty caulkers, three hundred truckmen, a company of firemen, besides merchants, bank directors, tradesmen, mechanics, and many wealthy and respectable gentlemen have offered their services. I understand that the marshal will prevent a man from being killed. My men have no weapons—such as fire arms or knives. Last night we put away all weapons in a safe place.

"The House to-day refused to entertain the question of privilege offered by Mr. Curtis, as to their rights of the great men of the State. I understand that the marshal will prevent a man from being killed. My men have no weapons—such as fire arms or knives. Last night we put away all weapons in a safe place.

The fugitive will start South to-morrow morning, accompanied by a large civil and military escort.

Boston, April 12.—After the decision of Judge Woodbury last night, that there was no ground to interfere with the removal of Sims to the State of Sims, preparations began to be made to convey him back. The brig Acorn had been hauled to the end of Long wharf, having been previously fitted up for an extra number of passengers.

During the night, the Court House square was filled with a crowd, and the collection of knots of cheering and shouting, and occasional shouts of officers. There were a number of females among them. The proceedings in and about the Court House were closely watched by the abolitionists.—At about 3 o'clock detachments of the City Watch to the number of 150 arrived, and with clubs and whistles, were ordered to the Court House square. The police force under Marshal Tucker arrived with short-whorls, assembled in the square, went thro' some evolutions and finally formed in a hollow square in front of the side entrance to the Court House.

When all was ready word was given to the U. S. Marshal, and Sims was brought down and placed in the centre of the square. He appeared to be in good spirits, his limbs being free from irons or handcuffs of any description. The procession was led by the U. S. Marshal and his Deputies, followed by the armed police—they proceeded through Court and State streets, and down Long wharf, followed by the crowd of thousands of cheering abolitionists, led by the Rev. Mr. Colver. Not the least attempt at violence was made. Mr. Colver and other persons in the crowd occasionally denounced the proceedings, and called for the thunderbolts of Heaven to be poured down upon them. When the procession reached the wharf, the crowd was so dense that the steamer Hornet alongside with her steam up. Sims was taken immediately into the cabin.

The Acorn had two cannons on board to protect her from any assault on the passage. The word was given to let go the fastenings, and she was soon underway. About six police officers accompanied the vessel, and as the ship sailed, the crowd of abolitionists, four officers of this city, including U. S. Deputy Marshals Savin and Byrne, accompanying the fugitive in the vessel to Savannah. Just as the vessel was about to leave the wharf, some of the crowd shouted several hymns, such as "From Greenland's icy mountains, from the forest of the north, the angel of judgment Seat of Christ." "Be thou, Oh God, exalted high," &c.

One man, just as Sims was going down, called out to him to preach liberty to the slaves; and as he began to depart, Rev. Mr. Foster, orthodox minister of Concord, made the following prayer:

"Almighty God! Thou sendest this poor city to-night thy children, borne away by oppressors; Thou art the friend of all who suffer wrong, and we have now no hope but in Thee; that hope is still unshaken; Thy promises endure for ever, and now we beseech Thee to show Thy power and love in blessing this city and its people, and in the overthrow of their oppressors and chains. Oh! God, make him a missionary of power to awaken a love of justice and liberty that shall end in the speedy overthrow of the accursed system which now causes millions of bleeding hearts. In mercy, Heavenly Father, do Thou descend upon the rulers of this city, and give them the wisdom to administer just laws, forgive the wickedness of our rulers and lead them to true and lasting repentance. Pity the wretched man who now goes in fetters over the waves; pity and bless his brethren in chains; hasten the day when all men shall be free, and thine shall be the glory!"

It was just 5 when he left. The Abolitionist Vigilance Committee met at 5½ and passed a resolution respectfully asking the people of Massachusetts to tell the bells in the several towns, as the intelligence reaches them of the return of a fugitive slave from Commonwealth. They have also appointed a committee to receive the fugitive, and to give him a person with a religious good language as the procession moved down State street, recited the events of the Boston Massacre that occurred in that street before the Revolution.

The fugitive was warmly and comfortably lodged in apartments provided by the U. S. Marshal. He refused to sign any more papers drawn up by the abolitionists, saying that he was tired of business.

The military in considerable numbers were at their Armories and Faneuil Hall, but there was no attempt to call upon them to act in the matter, and in morning they were dismissed from further duty. The chains have been taken down from the Court-house, and resumed their usual position.

During the night, John Folsom was found lying the street near the Temple, and refusing to go home, was taken to the watch-house.

Second Dispatch.—The brig Acorn, containing Sims, is at anchor at Nantucket Roads, on account of the north-east wind and thick weather, the story of the capture of Sims, and the medical aid given to him for \$1,500 to return in 6 weeks, is not true.—The Senate Committee are still pushing their investigation in the conduct of the State and city officers relation to Sims, quite closely. Several leading abolitionists have been in the Senate, and testified at Tukey's Police arrested directly on the detention.

Boston, April 13—8 P. M.—The brig Acorn, having on board the fugitive slave Sims, remained at anchor at Nantucket Roads, in the outer harbor during Saturday.

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